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October 13, 2014

VIA EMAIL

Honorable Commissioners
 City of Costa Mesa Planning Commission
 77 Fair Dr.
 Costa Mesa, CA 92626

Re: Oct. 13, 2014, Agenda Item 2: Application PA-14-11 (Symphony Apartments:
 585 and 595 Anton Boulevard)

Dear Chair Fitzpatrick and Honorable Planning Commissioners:

We represent Apartment Investment and Management Company ("Aimco"), owner of 3400 Avenue of the Arts,¹ a 770-unit premium apartment community bounded generally by Avenue of the Arts on the west, Sunflower Avenue on the north, and Sakioka Drive on the east. 3400 Avenue of the Arts is part of the original "The Lakes" development, which also includes the Wyndham and Marriott hotels, as well as the Lakes Pavilions Retail Center² (collectively, "The Lakes"). The properties at The Lakes are subject to declarations of covenants, conditions and restrictions ("CC&Rs"), which provide development controls for The Lakes properties.

We write regarding the proposed Symphony Apartments project located at 585 and 595 Anton Boulevard, which the Commission will consider at its October 13, 2014, meeting. Although the project site for the Symphony Apartments is directly south of The Lakes, it is not subject to the same CC&Rs as The Lakes.

We are not writing today to oppose the Symphony Apartments.³ Nevertheless, Aimco is concerned about potential negative impacts to its residents that are inherent in the construction of a project of this scope, such as traffic, road closures, construction hours, and noise. Accordingly, Aimco would like to ensure that the property owner and developer of the Symphony Apartments works with Aimco to prepare and implement a Construction Management Plan that minimizes potential impacts on the residents at 3400 Avenue of the Arts.

¹ 3400 Avenue of the Arts is owned by LA Lakes LP, a subsidiary of Aimco.

² The Lakes Pavilions property is proposed to be redeveloped with a 250-unit midrise residential building by Legacy Partners Residential, Inc.

³ Aimco does not herein expressly or impliedly waive any rights it may have to oppose the Symphony Apartments project at any time in the future.

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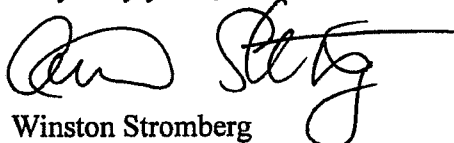
To that end, while Aimco appreciates staff's proposed Condition of Approval No. 9 set forth in the staff report, we respectfully request that the Commission modify that condition as set forth below (additions in double underline):

9. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents and also businesses during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager. The project construction traffic shall not use the streets that are within the adjacent residential neighborhoods. The developer shall provide to the Development Services Department evidence demonstrating that the Construction Management Plan has been reviewed and approved by the owner of the 3400 Avenue of the Arts property. If the owner of the 3400 Avenue of the Arts property does not approve the Construction Management Plan, the Development Services Director will mitigate any concerns to the fullest extent that is reasonable and practicable.

We believe this request is a reasonable one, and will ensure that construction of the Symphony Apartments project is done respectfully and without impacting adjacent sensitive land uses. Aimco looks forward to continuing its positive relationship with the City and hopes to establish a strong relationship with the Symphony Apartments' property owner and developer.

If you have any questions or would like to discuss the issues raised in this letter, please do not hesitate to call me at (213) 891-8983 or email me at winston.stromberg@lw.com.

Very truly yours,



Winston Stromberg
of LATHAM & WATKINS LLP

cc: Claire Flynn, Assistant Development Services Director, City of Costa Mesa
Ken Diamond, Aimco
Lisa Cohn, Aimco
Cindy Starrett, Latham & Watkins LLP
George Sakioka, Sakioka Company, LLC